



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

November 5, 2014

Jennifer Theilen  
220 Waverly Street  
Nashua, IA. 50658

Dear Child Care Provider,

This letter is in regards to the October 30, 2014 compliance check of your Level B, Registered Child Development Home. Iowa Code Chapter 237A and 441 Iowa Administrative Code, Chapter 110, describes specific requirements that must be met by a Registered Child Development Home. The following areas were out of compliance at the time of my visit:

☐ 110.4 No more children are in care than the rules for the specific category will allow.

**This is an official notice to cease operating over capacity. At the time of my visit you had eleven children in your care. You stated that another provider was ill and you were caring for children that normally go to her home. While you can be considered a substitute for another provider, you cannot go over your numbers to achieve that. A category B registered home can have six children full time. Within the six only four can be 24 months and only 3 can be 18 months or younger. You can have two children in care on a part time basis meaning 180 hours or less a month. Additionally, you can have four before and after school children for two hours or less. Because you do not have an approved assistant, you cannot have your school agers all day in addition to your regular children. As I conveyed to you at the time of my visit, you need to correct this immediately and any further over numbers incidents would be referred to the county attorney.**

## **237A.19 Penalty.**

**1. A person who establishes, conducts, manages, or operates a center without a license commits a serious misdemeanor. Each day of continuing violation after conviction, or notice from the department by certified mail of the violation, shall be considered a separate offense.**

**2. If registration is required under section 237A.3A, a person who establishes, conducts, manages, or operates a child development home without registering or a person who operates a child development home contrary to section 237A.5, commits a simple misdemeanor. Each day of continuing violation after conviction, or notice from the department by certified mail of the violation,**

is a separate offense. A single charge alleging continuing violation may be made in lieu of filing charges for each day of violation.

3. A person who establishes, conducts, manages, or operates a child care home in violation of section 237A.3, subsection 2, or a person or program that has been prohibited by the department from involvement with child care but continues that involvement commits a simple misdemeanor. Each day of continuing violation after conviction, or notice from the department by certified mail of the violation, is a separate offense. A single charge alleging continuing violation may be made in lieu of filing charges for each day of violation.

☐ 110.5(1)e All accessible electrical outlets are safely capped.  
**THIS IS NEEDED.**

☐ 110.5(1)n Has a minimum of one single-station, battery-operated, UL-approved smoke detector in each child-occupied room and at the top of every stairway.

**NEEDS ONE AT THE TOP OF THE STAIRS.**

☐ 110.5(2)b Two hours of approved child abuse and neglect mandatory reporter training (and every 5 years thereafter.)

**NEEDS TO COMPLETE.**

☐ 110.5(2)b Certification by an approved trainer/organization in infant and child first-aid that includes mouth-to-mouth resuscitation. Certification will be maintained throughout period of registration. If they are unable to locate first aid training that includes mouth-to-mouth resuscitation, they must complete both a first aid course and CPR.

**NEEDS TO COMPLETE.**

☐ 110.5(2)b During the first year of registration – 12 hours of approved training. At least six hours shall be in a group setting. Two of the twelve hours must be health and safety training. A specific training shall not be used to meet requirements more than one time every five years.

**NONE COMPLETED.**

☐ 110.5(8)d For infants and preschoolers: An admission physical examination, on the first day of attendance, including past health history, status of present health, allergies and restrictive conditions, and recommendations for continued care when necessary. The date of the exam is not more than 12 months before the child's first day of attendance.

**NEEDED FOR ONE.**

☐ 110.5(8)e For infants and preschoolers: A statement of health signed by a physician submitted annually.

**NEEDED FOR FIVE.**

☐ 110.5(8)e For school aged children: An annual statement of health condition signed by the parent or legal guardian, annually from date of admission physical.

**NEEDED FOR FIVE.**

☐ 110.5(8)g A signed and dated immunization certificate provided by the state department of public health.

**NEEDED FOR TWO.**

☐ 110.9(1)a Not more than six preschool children present at any one time including infants.

**WAS OVER BY THREE CHILDREN.**

☐ 110.9(1)f When more than 8 children are present for more than two hours, a DHS-approved assistant at least 14 years old is present.

**NO ASSISTANT WAS PRESENT.**

Non-compliance with any of the mandated regulatory requirements listed above may lead to the cancellation or revocation of your Child Development Home Registration.

**Please take whatever steps are necessary to completely address each of the violations noted above. It is essential you correct all above-mentioned violations within the next 45 days.**

x ☐ Based on the items out of compliance listed above, you will be required to have a recheck or follow up visit to your home. This visit will occur after the 45 day time period has elapsed.

Please do not hesitate to contact me at DHS at 319-292-2419 if you have any questions regarding this letter.

Sincerely,

Angela Huntington  
Social Worker II

*Natalie Clapp*

Social Work Supervisor

Department of Human Services

Always Remember:

Child Care Resource and Referral is an excellent resource for providers to access training options and support in your area. You can reach Child Care Resource and Referral at 641-394-4854.

As you plan your future trainings to meet your 24 hours of training requirement, please remember that you need to use only DHS approved training and only 12 hours can be by self-study. You can access the approved training by going to [http://dhs.iowa.gov/sites/default/files/CC\\_Professional\\_Development.pdf](http://dhs.iowa.gov/sites/default/files/CC_Professional_Development.pdf) and you can sign up for training at <http://ccmis.dhs.state.ia.us/trainingregistry/>

All providers need to maintain compliance with rules set out in Iowa Administrative Code, Chapter 110, which includes: 441 IAC 110.5(1): Check with the appropriate authorities to determine how the following local, state, or federal laws apply to you: • Zoning code • Building code • Fire code • Business license • State and federal income tax • Unemployment insurance • Worker's Compensation • Minimum wage and hour requirements • OSHA • Americans with Disabilities Act (ADA).